

18. A method for manufacturing a granular pesticidal composition coated with an epoxy resin, comprising the steps of (a) adding a mixture containing 0.05 to 1.5 parts by weight of amine, cyanuric acid or hydantoin and epichlorohydrin for preparing the epoxy resin to 100 parts by weight of the pesticidal active ingredient-containing granule to be coated; and (b) repeating step (a).--

REMARKS

Claims 1-3, 5-7, 10-11, 13 and 16-18 are all the claims pending in the application. Applicants have amended claims 1, 3, 5-7, 10-11 and 13; cancelled claims 4, 8, 9, 12, 14 and 15; and added new independent claims 16-18.

Claim 1 has been amended to further define the thermosetting resin as a polyurethane resin or an epoxy resin, and to be obtained by the method according to any one of claims 6 and 16-18. Claim 6 has been amended to be placed in independent form and the thermosetting resin has been further defined as a polyurethane resin. Support for amended claims 1 and 6 can be found, for example, on page 19, lines 21-22 of the present application. Claims 3, 5, 7, 10-11 and 13 have been amended for purposes of clarity.

New claims 16-18 correspond to original claim 6, and support for the claims 16-20 can be found, for example, on pages 19, lines 21-22, page 20, line 23 to page 21, line 3 of the present application.

Accordingly, no issue of new matter should arise, and entry of the above amendments is respectfully requested.

As a preliminary matter, Applicants thank the Examiner for acknowledging Applicants' claim to priority under 35 U.S.C. §119, and for confirming receipt of the priority document.

**I. Rejection Under 35 U.S.C. § 112, second paragraph**

At page 2 of the Office Action, claims 4, 6, 8-9 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

With respect to claims 4 and 8-9, the Examiner asserts that it is unclear whether the limitation "... the thermosetting resin is prepared from polyisocyanate having tri or higher isocyanate groups and/or polyols having tri- or higher hydroxyl groups" is claiming "... thermosetting resin is prepared from polyisocyanate having tri or higher isocyanate groups and polyols having tri-or higher hydroxyl groups" or "... the thermosetting resin is prepared from polyisocyanate having tri or higher isocyanate groups or polyols having tri-or higher hydroxyl groups".

With respect to claim 6, the Examiner asserts that it is vague and confusing in that the claimed method is not clearly defined. In particular, the Examiner states that the meanings of the phrases "repeating the operation" and "to be coated in one time" is confusing.

In response, Applicants respectfully traverse this rejection.

Applicants submit that the rejection of claims 4 and 8-9 are now moot in view of the cancellation of claims 4 and 8-9.

With respect to claim 6, Applicants submit that the present invention according to claim 6 is directed to a method for manufacturing a granular pesticidal composition coated with a thermosetting resin, comprising the steps of (a) adding a mixture containing 0.05 to 1.5 parts by weight of (1) polyisocyanate having tri- or higher isocyanate groups and polyol, (2) polyisocyanate and polyol having tri- or higher hydroxy groups, or (3) polyisocyanate having tri- or higher isocyanate groups and polyol having tri- or higher hydroxy groups for preparing a thermosetting resin to 100 parts by weight of a pesticidal active ingredient-containing granule to be coated; and (b) repeating step (a). The Examiner will note that Applicants have amended claim 6 accordingly.

In view of the above, Applicants respectfully request that the §112 rejection be reconsidered and withdrawn.

**II. Rejection of Claims 1-15 Under 35 U.S.C. § 102(b)**

At page 3 of the Office Action, claims 1-15 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Tocker (WO 91/10362).

The Examiner cites Tocker as teaching a pesticidal granules composition coated with a polyurethane, a thermosetting resin (*see*, particularly, page 2, lines 23-31). The Examiner asserts that the polyol employed has at least two hydroxyl groups and the polyisocyanate has at least one isocyanate substituent (-NCO), and is employed in the amount of about 1-20% weight. (*see*, particularly, page 4, lines 1-30). In addition, the Examiner asserts that the reaction temperature is at ambient temperature or above, and that the coating procedure can be carried out stepwise (*see*, particularly, page 5, lines 5-22). The Examiner further asserts that Tocker teaches that, as required by

some practice, e.g., slow release of the active component, monomers containing more isocyanate or hydroxyl group may be employed to increase the degree of cross-link in the polyurethane (*see*, page 10, lines 16-24). Finally, the Examiner alleges that the limitation "water absorption ratio of the thermosetting resin is not more than 5%" is inherent in the prior art.

In response, Applicants respectfully traverse this rejection for the following reasons.

Tocker discloses a process for preparing controlled release granules of pesticides for direct application including overcoating a granular carrier containing a pesticide and a polyhydroxylated compound or water with a liquid polyisocyanate and a polymerization catalyst. *See* page 9, lines 3-7 and lines 25-29 of Tocker. Polymerization of the polyhydroxylated compound and the polyisocyanate is conducted on the surface of the granular carrier (i.e., interfacial polymerization is conducted), because the polyhydroxylated compound is contained in the granular carrier.

In contrast, the present invention as defined in one embodiment in amended claim 6 is directed to a method of preparing a pesticidal composition coated with a thermoplastic resin using a mixture containing a polyisocyanate and a polyol. Accordingly, the polyisocyanate and polyol are subject to a curing reaction prior to coating. As a result, the polymerization of the present invention is not interfacial polymerization, as taught in Tocker. Tocker does not teach coating a granular pesticidal composition with a mixture containing polyisocyanate and polyol, as recited in claim 6, or a granular pesticidal composition coated in this manner. Therefore,

Applicants submit that Tocker does not teach each and every element of the presently claimed invention.

In addition, the present invention as defined in claims 16-18 is directed to a pesticidal composition coated with an epoxy resin. Applicants respectfully submit that Tocker does not disclose or suggest a method for preparing the pesticidal composition coated with an epoxy resin. Therefore, Tocker again does not teach each and every element of the present invention.


Accordingly, Applicants respectfully request that the §102 rejection be reconsidered and withdrawn.

### **III. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

  
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